

## NOTICE OF PROPOSED REGULATION (REVISED)

Date: August 2, 2012

**REGULATION TITLE:**  
Compensation

**REGULATION NO.:**  
UCF-3.044

**SUMMARY OF PROPOSED REGULATION:** This new regulation codifies existing university practice with regard to employee compensation at the university. This regulation explains base rate pay and how it is calculated at the university; pay increases generally; conditions for retroactive pay actions; pay increases for temporary changes in duties; pay adjustments following unpaid leave; and call back pay. The regulation also provides direction regarding the selection of the salary or wage at the time of original appointment. Additionally, the regulation describes salary increases, categories of salary adjustments and other wage payments, and other conditions on pay adjustments. Finally, the regulation directs departments to arrange schedules so as to minimize the accrual of overtime costs and explains dual compensation at the university.

**AUTHORITY:** BOG Regulation 1.001

**NAME OF PERSON WHO INITIATED PROPOSED REGULATION:**

Mark Roberts, Assistant Vice President, Chief Human Resources Officer

**COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.** The comments must identify the regulation you are commenting on.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS:**

Regulations Administrator  
4000 Central Florida Blvd.  
Millican Hall, Suite 360  
Orlando, FL 32816-0015  
Phone: (407) 823-2482  
Fax: (407) 823-6155  
e-mail: [regulations@mail.ucf.edu](mailto:regulations@mail.ucf.edu)

**FULL TEXT OF THE PROPOSED REGULATION:**

**UCF 3.044 Compensation.**

(1) Except as provided by any applicable collective bargaining agreement, pay

actions shall be administered consistent with the following provisions.

(2) The university may establish and maintain salary ranges for A&P and USPS classifications. Pay shall not exceed the maximum of the salary range without the approval of the chief human resources officer or designee.

(3) Base rate of pay is the pay provided to a non-exempt employee exclusive of any additives as provided for in Section (6)(h), below, or any perquisites such as cell phone (or cell phone allowance). Regular rate of pay is a non-exempt employee's base rate of pay plus any other payment which qualifies as income. Regular rate of pay must be used in the calculation of overtime, per the Fair Labor Standards Act (FLSA). For an employee paid on a salary basis, the University calculates an hourly rate of pay by dividing the annual rate of pay by 2088 work hours. A factor of 26.1 is used for annualizing biweekly pay.

- (a) An employee must be in active pay status to receive a pay increase of any kind.
- (b) Employees paid from contracts, grants, sponsored research, auxiliaries, or local funds shall be eligible for pay increases provided such increases are permitted and funded by the funding entity. The university shall strive to have contracts, grants, sponsored research, auxiliaries, and local funds permit and fund such pay increases. It is the responsibility of the departmental or college administrator to notify Human Resources prior to implementation if approval and funding cannot be secured.
- (c) Retroactive pay actions are not normally approved and require the approval of the chief human resources officer or designee for A&P and USPS, or the provost or designee for faculty. A retroactive effective date for a pay action shall normally be the lesser of twelve months or the date the completed documentation was submitted to Human Resources.
- (d) A pay increase may be provided for a temporary change in assignment on an acting basis, or for additional duties assigned; upon return to original responsibilities, the pay may be adjusted.
- (e) An employee returning from unpaid leave shall receive any increases in the salary range for the classification or across-the-board pay increases

granted during the period of unpaid leave, unless salary increase instructions provide otherwise. An employee may also be considered for other pay increases while on unpaid leave, to be implemented upon his or her return.

- (f) When a non-exempt USPS employee is called back and reports to work beyond the employee's scheduled hours of work for that day, the employee shall be credited with the greater of the actual time worked, including time to and from the employee's home to the assigned work location, or two hours.
- (4) The salary or wage selected at the time of original appointment shall be at a rate within the applicable salary range for the classification, with the following exceptions.
- (a) A provisional appointment for A&P may be below the minimum salary of the classification. The pay shall be no less than the minimum salary of the classification, upon the employee attaining the minimum qualifications for the class.
  - (b) A trainee appointment for USPS shall be in accordance with the approved individual training schedule and may be below the minimum salary of the classification.
  - (c) An emergency appointment for USPS may be below the minimum salary of the classification.
- (5) Salary increases shall be in accordance with any applicable legislative authority and guidelines authorized by the president or designee. Salary increase calculations shall include stipends and other temporary compensation unless the salary increase was already included in the stipend or other temporary compensation.
- (6) Salary adjustments and other wage payments may be provided under the following categories:
- (a) Increased responsibilities.
  - (b) Market conditions including counter-offers and retention adjustments.
  - (c) Salary compression or inversion.
  - (d) Increases to resolve a pay disparity, considering education, experience, or duties and responsibilities of other employees.

- (e) Lump sum payments to recognize the successful completion of a special project or assignment which is in addition to the employee's regularly assigned duties, or a documented significant increase in productivity or productivity goal achievement, including a group incentive program. Such payments for employees must be approved by the president or designee, or the UCF Board of Trustees.
  - (f) Increases to recognize sustained superior performance.
  - (g) Approved career development or apprenticeship programs.
  - (h) Pay additives for non-exempt employees including those for lead worker pay, shift differential, on call-pay, field training officer activities, and other approved activities.
- (7) Other pay adjustment conditions.
- (a) An employee who is demoted shall receive pay commensurate with the responsibilities assigned.
  - (b) The removal of pay additives, stipends, or perquisites; the correction of overpayments; or reduction to the maximum of a salary range do not constitute disciplinary action.
- (8) Each department shall be responsible for arranging the work schedule to minimize overtime, and the university shall establish procedures for overtime pay consistent with the FLSA.
- (9) A&P and USPS Employee Dual Compensation.
- (a) The primary purpose of Dual Compensation is to pay a full-time employee for services that are performed outside of their primary job and for a different department. Services that are performed above and beyond the employee's normal primary job functions within the same department cannot be paid as Dual Compensation. Exception: Faculty overload is governed by Academic Administration and University Regulation UCF-3.0032, Additional Compensation for UCF Employees.
  - (b) Additional services or duties performed by Executive Service, A&P and USPS exempt personnel during special events may not be compensated using Dual Compensation. Also refer to UCF Policy 3-112, entitled

“Additions to Salary of Exempt Employees for Special Events.”

(10) Perquisites or Sale of Goods and Services. The president or appropriate vice president shall approve providing perquisites to employees, the sale of goods and services to employees, and the payment of moving expenses associated with a current or prospective employee. The provision of such items shall be position or classification related and documented to demonstrate that the approval is in the best interest of the university. Approval is not required when sales to employees are similar to that ordinarily sold to the public or the benefit is considered de minimis. If specified subsectors of the public are offered discounts, such as but not limited to alumni, employees may be offered the same or similar provisions, without approval.

*Authority: BOG Regulation 1.001. History-New \_\_\_-12.*